IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.417 OF 2004

Ramchandra Govind Yadav
(Since deceased through L/R)
Vatsalabai wd/of Ramchandra Yadav ..Appellant.
Vs.
Sham Narayan Yadav and Ors. ..Respondents.

Mr.Umesh Mankapure, adv. for the Appellant.

CORAM : J.H.BHATIA, J.
DATE : SEPTEMBER 17, 2007.

P.C.:

1. Heard the learned counsel for the appellant. The appellant is original plaintiff. Deceased Narayan was brother of the plaintiff. The plaintiff filed Regular Civil Suit No.76 of 1981 in the Court of Civil Judge Junior Division, Vita contending that land survey no.252/2 was purchased by the plaintiff but in the sale deed name of his brother Narayan was shown as the purchaser because he was elder brother. Plaintiff claims to be the exclusive owner of the property and claimed declaration of title and perpetual injunction against the defendants, who are legal representatives of the deceased Narayan. According to the defendants, the property was exclusively purchased by the deceased Narayan from his own income. After hearing the parties, the suit came to be dismissed. First Appeal filed by the plaintiff also came to be dismissed. There is concurrent finding of the both the Courts

below that property was purchased by Narayan in his own name and not by the plaintiff in the name of his brother. No substantial question of law is involved in the matter.

2. Therefore, appeal stands dismissed.

[J.H.BHATIA, J.]